

**REMARKS**

Claims 1, 3, 5-21, and 23-30 are currently pending. Applicant respectfully requests reconsideration of this application. Claim 1 has been amended. No claims have been cancelled or added. Therefore, claims 1, 3, 5-21, and 23-30 are now presented for examination.

**Claim Objection**

The Examiner objects to the use of the term "handling routine" in claim 1. The Applicant has modified the claim to refer to a "handler routine", as suggested by the Examiner.

No other amendments have been made to the claims, and it is submitted that no new subject matter has been added to the claims. Further, the modified claim language has already been examined by the Examiner.

**Claim Rejection under 35 U.S.C. §103****Levine, et al. in view of Jacklin, et al.**

The Examiner rejected claims 1, 3, 5-21, and 23-30 under 35 U.S.C. 103 (a) as being unpatentable over U.S. Patent 6,134,710 of Levine, et al. (hereinafter referred to as "Levine") in view of U.S. Patent 5,838,969 of Jacklin, et al. (hereinafter referred to as "Jacklin").

Claim 1 is as follows:

1. An event monitoring component for dynamic optimization comprising:  
an event monitor hardware component to selectively capture a plurality of profiles of one or more microarchitecture events occurring in the execution of an application by a

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microprocessor, the selection of the profiles to be captured and the one or more events to be monitored being based upon configuration information supplied by a software component, the software component including a plurality of handling routines for the processing of captured profiles;  
a profile buffer to store the plurality of captured profiles of the one or more microarchitecture events;  
an interface through which the software component provides the configuration information to direct the operation of the event monitor; and  
one or more monitor control vectors, the monitor control vectors storing the configuration information provided by the software component, wherein each monitor control vector includes a handler field to hold a pointer to a handler routine of the plurality of handling routines, the handler routine being selected by the software component to process the profiles of the microarchitecture event.

As has been noted in the previous response, an event monitoring component includes an event monitor hardware component to selectively capture profiles of one or more microarchitecture events occurring in the execution of an application by a microprocessor, the profiles to be captured and the one or more events to be monitored being based upon configuration information supplied by a software component. Further, the software component includes a plurality of handling routines. The event monitoring component includes one or more monitor control vectors, with each monitor control vector including a handler field to hold a pointer to a holder routine that is selected by the software component to process the profiles of the microarchitecture event.

Thus, the claim provides a hybrid component that includes the event monitor hardware component, with the events to be monitored, the profiles to be captured, and the handler routine for each monitor control vector being selected as provided in the claim. The arguments presented previously with regard to Levine remain valid, and for brevity will not be repeated here. As has been previously argued, Levine does not contain the elements of the claim.

In the current action, the Examiner indicates that "some reference to the address of the handler routine, or a pointer to the handler routine, is inherent to Levine." First, it is submitted that this is not true, but, second, it is respectfully submitted that this misses the point. As indicated in claim 1, an event monitoring component includes an event monitor hardware component to selectively capture a plurality of profiles of one or more microarchitecture events occurring in the execution of an application by a microprocessor, the selection of the profiles to be captured and the one or more events to be monitored being based upon configuration information supplied by a software component, the software component including a plurality of handling routines for the processing of captured profiles. Levine does not include this combination. The claim then goes on to indicate that there are monitor control vectors, with each monitor control vector including a handler field to handler routine of the plurality of handling routines, the handling routine being selected by the software component to process the profiles of the microarchitecture event. Again, the combination of the elements presented in the claim is not found in Levine.

However, in this regard the Examiner has now cited to a new reference, Jacklin, which provides a system and method for collecting and dispatching selected events in an

application program. However, it is submitted that this does not provide the elements of the claims that are missing from Levine. In particular, the Examiner has cited to the disclosure of handle routines, a pointer to the handler routines, and a selection of one or more handler routines to process selected events. However, the teaching of Jacklin is limited to this because the intent of Jacklin is to collect and dispatch events, not to provide configuration information upon which the selection of events to be monitored is based. As was stated in the prior action, the issue is a teaching regarding an event monitoring component that includes the described elements as selected by the software component. It is respectfully submitted that this is not shown by Levine, by Jacklin, or by the combination of Levine and Jacklin.

In addition, it is submitted that this is no support for the combination of the two references. The Examiner indicates that “[i]t would have been obvious to one of ordinary skill in the art the invention was made to incorporate into Levine a plurality of handler routines and a handler routine with which the software component selects one of the handler routines, as Jacklin suggests, so as to selectively configure different handler routines to process the profiles of different events.” It is respectfully submitted that this statement does not rise to a prima facie case for obviousness because there is no real rationale provided for the combination of the references. There is no indication of any implicit or explicit motivation to combine the references. The Examiner has indicated that the combination may be made to “selectively configure different handler routines to process the profiles of different events”, but this is simply an advantage of having more than one handler routine. Further, there is no indication how combining Levine with

Jacklin would support this objective. Having more than one handler routine may allow a selection, but this isn't relevant to the combination of these references.

It is respectfully submitted that Levine and Jacklin have been improperly combined, and thus cannot support the obviousness rejection.

It is further submitted that Levine and Jacklin, alone or in combination, thus do not contain the elements of claim 1, as amended. It is submitted that independent claims 10 and 21 are allowable for similar reasons. The remaining rejected claims are dependent claims that are allowable as being dependent on the allowable base claims.

### **Conclusion**

Applicant respectfully submits that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicant respectfully requests the rejections be withdrawn and the claims as amended be allowed.

**Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (503) 439-8778 if there remains any issue with allowance of the case.

**Request for an Extension of Time**

The Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a), should one be needed. Please charge our Deposit Account No. 02-2666 for the fee for such extension.

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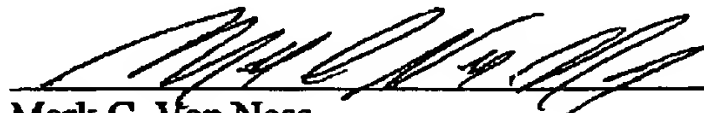
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Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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10/19/06

  
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